

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA
RENO, NEVADA

STEVEN BRAUNSTEIN; et al.,) 3:10-CV-00051-ECR-VPC
)
Plaintiffs,) MINUTES OF THE COURT
)
vs.) DATE: July 30, 2010
)
DAVID ROGER, DISTRICT ATTORNEY FOR)
CLARK COUNTY, NEVADA; et al.,)
)
Defendants.)
)

PRESENT: EDWARD C. REED, JR. U. S. DISTRICT JUDGE

Deputy Clerk: COLLEEN LARSEN Reporter: NONE APPEARING

Counsel for Plaintiff(s) NONE APPEARING

Counsel for Defendant(s) NONE APPEARING

MINUTE ORDER IN CHAMBERS

On May 20, 2010, the Magistrate Judge filed a Report and Recommendation (#24) recommending that Defendants' Motions (#3 and #5) and Plaintiffs' Motions (#9 and #10) be denied as moot in light of the dismissal of the Complaint (#1).

Plaintiffs filed Objections (#25) to the Report and Recommendation (#24) based in part on the claim that they have sued the district attorney as a representative of Clark County, Nevada and that the judges in this case are not entitled to absolute immunity because they acted in the clear absence of jurisdiction. The Objections (#25) are without merit. In particular, we note that the district attorney may not be sued as the representative of the county and the judges in this case did not act in clear absence of jurisdiction.

IT IS, THEREFORE, HEREBY ORDERED that the Report and Recommendation
(#24) is APPROVED and ADOPTED.

IT IS FURTHER ORDERED that Plaintiffs' Complaint (#1) is **DISMISSED** in accordance with the screening order which is contained in the Report and Recommendation (#24).

IT IS FURTHER ORDERED that Motions (#3, #5, #9, and #10) are DENIED as moot.

The Clerk shall enter judgment accordingly.

LANCE S. WILSON, CLERK

By /s/
Deputy Clerk